

* * * This preparation represents the soluble and medicinal principles of Pure Cod Liver Oil."

Misbranding was alleged for the reason that the following statements on the carton and bottle labels were false and misleading: (Carton) "Palatable Cod Liver Oil Alcoholic Extract of the Oil * * * The remedial and stimulating principles of Cod Liver Oil * * * pure Cod Liver Oil, or emulsion of Cod Liver Oil. * * * This preparation represents the soluble and medicinal principles of Pure Cod Liver Oil * * * more efficient than plain Cod Liver Oil or Emulsion of Cod Liver Oil. * * * An elegant and excellent preparation of the Extract of Cod Livers;" (bottle) "Palatable Cod Liver Oil Alcoholic Extract of the Oil * * * The remedial and stimulating principles of Cod Liver Oil. * * * This preparation * * * is more palatable than pure Cod Liver Oil, or any emulsions of Cod Liver Oil." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the article, appearing on the carton and bottle labels, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Reconstructive, of especial value for restoring tone and vigor to the entire system. Indicated in Convalescence and diseases requiring building-up-treatment. * * * Reconstructive and Tissue Builder * * * La Bronchite, Affections Nerveuses, Grippe, etc. * * * Reconstructive * * * tissue-nutrient and reconstructive remedy. Indicated in Convalescence and diseases requiring building-up-treatments;" (bottle) "Reconstructive of especial value for restoring tone and vigor to the entire system. Indicated in Convalescence and diseases requiring building-up-treatment."

On February 5, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17962. Misbranding of Wampole's vaginal cones boroglyceride compound with ichthyol. U. S. v. 11¾ Dozen Packages of Wampole's Vaginal Cones Boroglyceride Compound with Ichthyol. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25233. I. S. No. 4930. S. No. 3521.)

Examination of samples of a drug product, known as Wampole's vaginal cones boroglyceride compound with ichthyol, having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported to the United States attorney for the District of Massachusetts the herein-described shipment of a quantity of the product located at Boston, Mass.

On October 24, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 11¾ dozen packages of the said Wampole's vaginal cones boroglyceride compound with ichthyol, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been shipped by Henry K. Wampole & Co. (Inc.), from Philadelphia, Pa., on or about September 25, 1930, and transported from the State of Pennsylvania into the State of Massachusetts, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted of boric acid, sodium borate, organic sulphur compounds, a zinc compound, gelatin, and glycerin.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, appearing in the labeling, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Shipping wrapper) "Useful in inflammatory conditions;" (box label) "For Inflammatory or Congested Conditions of the Vagina and Uterus;" (circular) "In the treatment of gonorrhea, Wampole's Ichthyol Cones should prove a helpful adjunct, in view of the reported effectiveness of Ichthyol in cases of acute and chronic gonorrhea * * * melting and dissolving slowly and completely, insuring opportunity for prolonged therapeutic action."

On February 26, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*